

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION

No. 4:10-CR-2-D

No. 4:19-CV-165-D

KENNETH EARL WOOTEN,

Petitioner,

v.


UNITED STATES OF AMERICA,

Respondent.

**ORDER**

On November 17, 2021, Kenneth Earl Wooten (“petitioner”) withdrew his second motion under 28 U.S.C. § 2255. See [D.E. 83]; cf. [D.E. 40] (order denying petitioner’s first motion under 28 U.S.C. § 2255); [D.E. 54] (petitioner’s unauthorized second motion under 28 U.S.C. § 2255). Thus, the court DISMISSES AS MOOT respondent’s motion to dismiss [D.E. 78]. The United States shall respond to petitioner’s motion for compassionate release [D.E. 72] not later than January 24, 2022.

SO ORDERED. This 22 day of December, 2021.

  
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JAMES C. DEVER III  
United States District Judge